United Nations A/62/278/Add.4

General Assembly

Distr.: General
15 February 2008

Original: English

Sixty-second session
Agenda item 98 (aa)
General and complete disarmament

Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms

Report of the Secretary-General

Addendum*

Contents

		Page
II.	Replies received from Member States	2
	Ukraine	2

* This information was received after the submission of the main report.

08-24211 (E) 280208

II. Replies received from Member States

Ukraine

[Original: English]
[12 February 2008]

1. Events in the modern world, including a number of challenges to peace, stability and sustainable development, have made clear the need to establish multiple, legally binding instruments that would include a number of norms and rules for import, export and transfer of conventional arms and the technologies for manufacturing them.

2. Support of General Assembly resolution 61/89 by the majority of United Nations Member States indicates that the international community is ready to establish comprehensive and universal disarmament mechanisms, i.e., common rules for conventional arms transfers.

3. Having voted in favour of General Assembly resolution 61/89, Ukraine supports an arms trade treaty initiative and is ready to cooperate with other United Nations Member States to develop such a document in the framework of the Group of Government Experts. We believe that this document should be agreed by the States on a multilateral, non-discriminatory and transparent basis.

4. The aim of such a treaty should be to eliminate irresponsible and unauthorized trading in arms. This universal document should establish effective and reliable barriers to the illegal arms trade, thus curbing the tendency towards an increase in the number of hot spots in the world and decreasing the threat of international terrorism.

5. We are convinced that work on the instrument has to be conducted at the same time as problems are being resolved and obstacles likely to arise due to countries' differing views are being dealt with. Further approval and implementation of the treaty should also be a part of this process.

6. One of the main prerequisites for the successful realization of this large-scale initiative is that all permanent members of the Security Council must recognize the importance of the treaty, since the positions of these countries will be of key importance in ensuring the effective implementation of the treaty.

7. Ukraine believes that it is important to analyse existing national export control systems and country legislation in this sphere to understand whether they meet international standards and are able to counter illicit arms transfers. In this connection, certain mechanisms should be established to help countries with insufficiently effective export control systems.

8. Ukraine believes that much attention should be paid to the thoroughgoing analysis of all channels which lead to illegal arms circulation, to the development of efficient mechanisms to combat this phenomenon and to making substantial efforts to eliminate it.

9. We support the point of view that mechanisms, principles and norms that are included in functioning export control regimes and multilateral, regional and other

relevant arrangements have to be taken into consideration during the development of the treaty.

10. While our country supports the initiative to develop a universal document on arms transfer control, Ukraine is at the same time firmly convinced that this treaty should not create obstacles for those States which sell arms legally. Many countries lack the potential to manufacture all the defence equipment needed to satisfy their legitimate requirements. In such cases, arms import is the only solution. Legitimate arms export plays a significant role in ensuring national security for these countries according to the norms of international law.

Scope

11. Ukraine believes that in order for the treaty to be comprehensive and effective it should include a clear and concrete list of armaments that will be covered. It may be based upon the United Nations Register of Conventional Arms and it should include the list of military equipment within the Wassenaar Arrangement. Moreover, a mechanism for updating the list should be envisaged in the treaty.

12. Concerning the range of supplies covered, Ukraine believes that the document should cover only transfers which result in the movement of weapons and technologies from the territory of one State to the territory of another State. The abovementioned document should not apply to weapons transfers within the territory of a single State.

13. It is important that the scope of this treaty cover a wide spectrum of transfers — import, export, re-export, transit, trans-shipment, technical assistance, technology transfer, brokering, etc.

14. Therefore, it is important to give clear definitions for all types of arms and transfers mentioned in the treaty.

Parameters

15. The treaty should set out the basic principles which will guide States in the issuance of licenses for international arms transfers.

16. Standards for the regulation of issues related to authorization and prohibition of arms transfer should be established. In the elaboration of these standards, a number of issues should be taken into account, in particular:

(a) International obligations of the United Nations Member States; obligations under Security Council resolutions which place an embargo on arms transfers;

(b) Maintaining peace and ensuring security and stability at the international and regional levels;

(c) Prevention of illicit international arms transfers and the fight against international crime and terrorism;

(d) Existing non-proliferation and disarmament arrangements.

17. The key aspect of the treaty should be the exchange of information permitted between and among States in the framework of national reports, with more extensive exchanges between the signatories to a treaty.

18. The implementation of this treaty and implementation oversight will require additional expenditures at both the national and international levels.

19. In addition, the treaty should oversee the establishment of a secretariat that will function on a temporary basis or permanently, if necessary.